

JUL 20 2007

KRIEG · DEVAULT ^{LLP}

ATTORNEYS AT LAW

FAX COVER PAGE

DATE: July 20, 2007

PAGES INCLUDING THIS PAGE: 24

TO: Examiner Anuradha Ramana
Group Art Unit 3733
COMPANY: U.S. Patent and Trademark Office

FAX NUMBER: 571-273-8300

PHONE NUMBER:

FROM: Douglas A. Collier

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RE: Response to Office Action for U.S. Patent Application No. 10/769,569 to Roy Lim et al.

COMMENTS: I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at 571-273-8300 on:

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PTO/SB/21 (09-04)

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10769,569	
	Filing Date	January 30, 2004	
	First Named Inventor	Roy Lim et al.	
	Art Unit	3733	
	Examiner Name	Anuradha Ramana	
Total Number of Pages in This Submission	23	Attorney Docket Number	MSDI-219/PC902.00

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Fax Cover Sheet; Attachment A
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Krieg DeVault LLP		
Signature	<i>Douglas A. Collier</i>		
Printed name	Douglas A. Collier		
Date	July 20, 2007	Reg. No.	43,556

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	<i>Douglas A. Collier</i>		
Typed or printed name	Douglas A. Collier	Date	July 20, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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JUL 20 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)	Before the Examiner
Roy Lim)	Anuradha Ramaña .
)	
Application Serial No. 10/769,569)	Group Art Unit 3733
)	
Filed: January 30, 2004)	Ref. No. MSDI-219/PC902.00
)	
INSTRUMENTS AND METHOD FOR)	
MINIMALLY INVASIVE SPINAL)	July 20, 2007
STABILIZATION)	

RESPONSE TO NON-FINAL OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

In response to the Non-Office Action dated April 20, 2007, please enter and consider the following remarks. No extensions of time or fees are believed due. However, please provide any extensions of time that may be necessary and charge any fees which may be necessary to Deposit Account No. 12- 2424, but not to include any payment of issue fees.

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July 20, 2007
(Date of Transmission)

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Name of Registered Representative

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July 20, 2007
Date of Signature

Response to Non-Final Office Action
Serial No. 10/769,569
Atty. Docket No. MSDI-219/PC902.00
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